

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

MAX ROMANCHUK,

SUMMONS IN A CIVIL ACTION

V.

AMX COOLING & HEATING, LLP

CASE NUMBER:

07 CIV. 6343

TO: (Name and address of Defendant)

AMX COOLING & HEATING, LLC
101 Castleton Street
Pleasantville, NY 10570.

JUDGE CONNER

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

WESTERMANN, HAMILTON, SHEEHY, AYDELOTT & KEENAN
222 Bloomingdale Road, Suite 305
White Plains, New York 10605

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

CLERK

CLERK

DATE

(By) DEPUTY CLERK

JUL 11 2007

STATE OF NEW YORK COUNTY OF
UNITED STATES DISTRICT COURT
DISTRICT: SOUTHERN DISTRICT OF NEW YORKATTORNEY(S): Westermann Hamilton Sheehy Aydelott & Keenan, PH: 914-946-7770
ADDRESS: 222 BLOOMINGDALE RD. - STE 308 WHITE PLAINS NY 10605 File No.:

MAX ROMANCHUK

vs

Plaintiff(s)/Petitioner(s)

AMX COOLING & HEATING, LLP

Defendant(s)/Respondent(s)

STATE OF NEW YORK, COUNTY OF NASSAU, SS.:

AFFIDAVIT OF SERVICE

Howard Kwastel, being duly sworn deposes and says: Deponent is not a party herein, is over 18 years of age and resides in New York State. On Wednesday, July 18, 2007 at 11:46 AM, at 101 CASTLETON STREET, Pleasantville, NY 10570, deponent served the within SUMMONS IN A CIVIL CASE & COMPLAINT

on: AMX COOLING & HEATING, LLP, Defendant therein named.

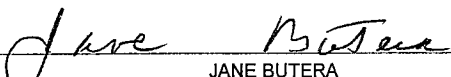
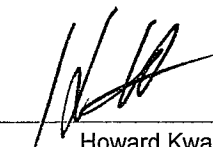
#1 INDIVIDUAL By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.

#2 CORP. ☒ By delivering thereat a true copy of each to JEAN D'GAGLIENO personally, deponent knew said Domestic Corporation so served to be the Domestic Corporation described in same as said recipient and knew said individual to be the managing/authorized agent of the Domestic Corporation, and said person stated that he/she was authorized to accept service on behalf of the Domestic Corporation.#3 SUITABLE AGE PERSON/
PARTNERSHIP ☐ By delivering a true copy of each to _____, a person of suitable age and discretion. Said premises is recipient's: [] actual place of business [] dwelling house (usual place of abode) within the state.#4 AFFIXING TO DOOR ☐ By affixing a true copy of each to the door of said premises, which is recipient's: [] actual place of business [] dwelling house (place of abode) within the state.

Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, having called thereat

on _____ at _____
on _____ at _____
on _____ at _____
on _____ at _____

Address confirmed by _____

#5 MAIL COPY ☐ On _____, deponent completed service by depositing a true copy of each document to the above address in a 1st Class postpaid properly addressed envelope not indicating that mailing was from an attorney or concerned legal action and marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of New York.#6 DESC. ☒ A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:
Sex: Female Color of skin: White Color of hair: Blonde Age: 51-65 Yrs Height: 5' 4" - 5' 8"
(use with #1, 2 or 3) Weight: 131 - 160 Lbs Other Features: _____#7 WIT. FEES ☐ the authorized witness fee and / or traveling expenses were paid (tendered) to the recipient.#8 MIL. SRVC ☐ Your deponent asked the person spoken to whether defendant was in the active military service of the United States or N. Y. State; and received a negative reply. Upon information and belief I have; being based on the conversations & observations above narrated, defendant is not in the military service.#9 OTHER ☐Sworn to before me on July 19, 2007JANE BUTERA
NOTARY PUBLIC, State of New York
No. 01BU6135842, Qualified in Nassau County
Term Expires October 24, 2009Howard Kwastel
Server's Lic # 0940927
Invoice/Work Order # 0138902